GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – All India Services – Sri A.R. Sukumar, IAS., (1984) formerly Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation and presently working as Principal Secretary to the Government, Public Enterprises Department, A.P. Secretariat, Amaravati - Disciplinary action – Charges framed –Statement of Defense – Called for.

GENERAL ADMINISTRATION (SC-D) DEPARTMENT

G.O.RT.No. 1326 Dated: 18-06-2018

Read:-

Order:

Government have decided to initiate disciplinary proceedings against Sri A.R. Sukumar, IAS., formerly Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation and presently working as Principal Secretary to Government, Public Enterprises Department, A.P. Secretariat, Amaravati, under rule 8 of All India Services (Disciplinary and Appeal) Rules, 1969. The substance of misconduct and misbehavior in respect of which disciplinary action is proposed to be initiated is set out in the enclosed statement of Articles of Charge as Annexure-I.

2. A statement of imputations of misconduct or misbehavior in support of the articles of charge, together with the list of documents by which and the list of witnesses by whom, the articles of charge proposed to be sustained, are enclosed as Annexure-II, III and IV respectively.

3. Sri A.R. Sukumar, IAS., formerly Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation and presently working as Principal Secretary to Government, Public Enterprises Department, A.P. Secretariat, Amaravati is directed to submit his Written Statement of Defense and also state whether he desires to be heard in person, within 15 (Fifteen) days of receipt of this order.

4. Sri A.R. Sukumar, IAS., is informed that an inquiry will be held, only if the articles of charge are not admitted and in case if it is considered necessary. He should, therefore, specifically admit or deny the Articles of Charge.

5. Sri A.R. Sukumar, IAS is further informed that if no written statement of defense is filed within the time specified in Para 3 above, or if he does not appear in person before the Inquiry Authority or otherwise fails or refuses to comply with the provisions of Rule 8 of All India Services (Discipline and Appeal) Rules, 1969 or the orders or directions issued in pursuance of the said rules, action will be taken against him on the basis of the material available on record, on the ground that he has no explanation to offer.

6. The attention of Sri A.R. Sukumar, IAS is invited to rule 18 of the All India Services (Conduct) Rules, 1968, according to which no Member of Service shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri A.R. Sukumar, IAS, is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 18 of the All India Services (Conduct) Rules, 1968.

7. This order is sent to of Sri A.R. Sukumar, IAS, in duplicate. He is directed to acknowledge the receipt with date on the duplicate copy and return the same to the Government immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri A.R. Sukumar, IAS, Principal Secretary to the Government,
Public Enterprises Department, A.P. Secretariat, Velagapudi, Amaravati
Copy to:
The Secretary to Government of India,
Department of Personnel & Training, North Block, Lodhi Road, New Delhi-110001
The General Administration (SC.A) Department
The General Administration (SC.E) Department
SF/SC

// FORWARDED :: BY ORDER//

SECTION OFFICER (SC)

ANNEXURE – I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI A.R. SUKUMAR, IAS, (1984) FORMERLY VICE CHAIRMAN & MANAGING DIRECTOR, ANDHRA PRADESH STATE WAREHOUSING CORPORATION AND PRESENTLY WORKING AS PRINCIPAL SECRETARY TO GOVERNMENT, PUBLIC ENTERPRISES DEPT., A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI.

Sri A.R. Sukumar, IAS, presently working as Principal Secretary to Government, Public Enterprises Department, A.P. Secretariat, Velagapudi, Amaravati, while working as Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation during the period from 10.02.2014 to 21.04.2017 F.N. has committed grave irregularities by not following the Principle of Financial Propriety as indicated below:-

Article of Charge – I:

That the Member of Service while working as Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation, has taken a sum of Rs.80,15,717/- under various Heads as advances and utilized the Corporation funds for his pecuniary benefits and personal gains.

Article of Charge – II:

That the Member of Service while working as Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation, has availed credit card facility for private purposes as against the rules of Financial Propriety during the period from 31.10.2016 to 03.04.2017.

Thus, Sri A.R. Sukumar, IAS, by his above mentioned acts exhibited lack of integrity, devotion to duty and conduct of unbecoming of Member of Service and thereby contravened Rule 3 (1) and (2) of the All India Services (Conduct) Rules 1968.

ANIL CHANDRA PUNETHA
CHIEF SECRETARY TO GOVERNMENT (FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER (SC)

ANNEXURE – II

Statement of imputations of misconduct or misbehavior in support of Articles of Charge framed against Sri A.R. Sukumar, IAS (1984) formerly Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation and presently working as Principal Secretary to Government, Public Enterprises Department, A.P. Secretariat, Velagapudi, Amaravati are proposed to be sustained.

***

Sri A.R. Sukumar, IAS, formerly Vice Chairman & Managing Director, Andhra Pradesh State Warehousing Corporation and presently working as Principal Secretary to Government, Public Enterprises Department A.P. Secretariat, Velagapudi, Amaravati was permitted to visit Japan and China vide G.O.Rt.No.445 dated 23.02.2017. The Andhra Pradesh State Warehousing Corporation has already made payment of Rs.14,99,824/- to an Agency to arrange Foreign Currency during stay of 4 team members. In addition to that a sum of Rs.18,00,062/- was also arranged to Managing Director for meeting the expenditure which prima-face indicates double advance. During the foreign visit, the MoS availed credit card facility for private purposes as against the rules of Financial Propriety. The Member of Service has taken a sum of Rs.80,15,,717/- under various Heads as advances during his foreign visit. On return and completion of foreign tour by 03.03.2017, the detailed bills towards foreign visit were not submitted by the Member of Service, thus resulted in non-adjustment of advance.

When conducted A.G audit on the accounts of the Andhra Pradesh State Warehousing Corporation for the year 2015-17, audit party pointed out at Para I (B) of the inspection report that an amount of Rs.80,15,717/- is pending recovery under various Heads drawn as Advances from Sri A.R.Sukumar, IAS, former Managing Director, Andhra Pradesh State Warehousing Corporation.

During the audit, it has observed on the above item as follows:

As per Rule 21 of General Financial Rule 2005:

(i) Every Officer is expected to exercise the same vigilance in respect of expenditure incurred from Public Money as a person of ordinary prudence would exercise in respect of his Own Money.

(ii) No Authority should exercise its powers of sanctioning expenditure to pass an order which will directly or in directly to its own advantage.

(ii) The amount of allowances granted to meet expenditure of particular type should be so regulated that the allowances are not on the whole, a source of profit to the recipients.

(iv) When advance is taken the claim should be submitted within one month from the date of return of journey/purpose after meeting the expenditure. If not, outstanding advance shall be recovered in one lump sum and the claim will be treated as no advance is sanctioned. Further the penal interest, on entire advance from the date of drawl to the date of recovery will be charged.

(v) When the claim submitted within stipulated time but unutilized portion of advance was not refunded, interest is chargeable on the amount from the date of drawl to the date of recovery.

(vi) Making payments to Banks in the form of advances for availing Credit card facility for private purposes is against the rules of financial propriety which may tantamount to temporary misappropriation of funds of the Corporation.

Thus, Sri A.R Sukumar, IAS., has not followed the instruction issued in G.O.Ms.No.124 dt.31.08.2000 read with memo No. No.528/04/TA/2012 dt.09.02.2012, while making advance payments for foreign travel and also violated Rule 21 of General Financial Rules, 2005, by utilizing the Corporation funds for his pecuniary benefits and personal gains as the amounts drawn were credited to his personal Bank Account No. 110310100013278 and also taken the amount through credit card for private purpose is against the rules of Financial Property which may also tantamounts to temporary misappropriation of Corporation funds. The Member of Service has taken a sum of

Rs.80,15,717/- under various Heads as advance and the amounts are pending recovery till to date and liable to pay penal interest on the entire advance amount of Rs.80,15,717/- from the date of drawl to date of recovery.

Being a Member of Service and holding a post of Head of the Office to A.P. State Warehousing Corporation, Sri A.R.Sukumar, IAS, ought to maintain integrity in the Corporation. If anyone committed irregularity, he should have taken action as per the prescribed rules and regulations against the delinquent. Being an IAS Officer, holding a responsible post, by doing such activities, he lowered the prestige of Corporation in the eyes of the Public. Hence the Articles of charge.

ANIL CHANDRA PUNETHA
CHIEF SECRETARY TO GOVERNMENT (FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER (SC)

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI A.R SUKUMAR, IAS., FORMERLY VICE CHAIRMAN & MANAGING DIRECTOR, ANDHRA PRADESH STATE WAREHOUSING CORPORATION AND PRESENTLY WORKING AS PRINCIPAL SECRETARY TO GOVERNMENT, PUBLIC ENTERPRISES DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI ARE PROPOSED TO BE SUSTAINED.

***

1) CAP-7/AG(Audit)/APSWC/VJA/2015-17/A.E.No.06 dated 31.08.2017 of the Sr. Audit Officer, O/o the Accountant General.
2) Para I (B) of the inspection report communicated in letter No.PAG (Audit), AP/ES-PSU/D1/APSWC/2017-18/59 dt.27.10.2017 of the Sr. Audit Officer, O/o the Accountant General.
3) Para I (C) of the inspection report communicated in letter No.PAG (Audit), AP/ES-PSU/D1/APSWC/2017-18/59 dt.27.10.2017 of the Sr. Audit Officer, O/o the Accountant General.
4) Rule 21 of General Financial Rules 2005.
5) Instructions issued in G.O.Ms.No.124 Finance and Planning dt.31.08.2000 read with circular Memo No.528/04/TA/2012 dt.09.02.2012.
6) Advance Wise, Item Wise, debit vouchers, requisition letters and letters addressed to the bank requesting transfer the amounts from the Corporation Current account No.52190010149 to the account of Sri A.R.Sukumar, IAS., bearing account No.110310100013278. (259 Pages).
7) Letter No. ASPWC/MD's Peshi/2017, dt.31.05.2017 of the MD, APSWC addressed to Sri A.R.Sukumar, IAS., Principal Secretary to Govt., PUBLIC ENTERPRISES Dept. A.P. Secretariat.
8) Letter No. ASPWC/MD's Peshi/2017, dt.02.08.2017 of the MD, APSWC addressed to Sri A.R.Sukumar, IAS., Principal Secretary to Govt., PUBLIC ENTERPRISES Dept. A.P. Secretariat.
9) U.O. Note No.109/SC.D/A2/2017 dt.07.02.2018 of the Chief Secretary to Govt., A.P. Secretariat addressed to the Drawing and Disbursing Officer, Public Enterprises Dept., A.P. Secretariat.
10) G.O.Rt.No.445 dt.23.02.2017 in which permission was given to visit Japan and China.

ANIL CHANDRA PUNETHA
CHIEF SECRETARY TO GOVERNMENT (FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER (SC)

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI A.R SUKUMAR, IAS FORMERLY VICE CHAIRMAN & MANAGING DIRECTOR, ANDHRA PRADESH STATE WAREHOUSING CORPORATION AND PRESENTLY WORKING AS PRINCIPAL SECRETARY TO GOVERNMENT, PUBLIC ENTERPRISES DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI ARE PROPOSED TO BE SUSTAINED.

***

-NIL-

ANIL CHANDRA PUNETHA
CHIEF SECRETARY TO GOVERNMENT (FAC)

// FORWARDED :: BY ORDER//

SECTION OFFICER (SC)